

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PJM INTERCONNECTION, LLC,
directly and derivatively on behalf
of Power Edge, LLC,

Plaintiff,

v.

MARK GORTON; TOWER RESEARCH
CAPITAL LLC; TOWER RESEARCH
CAPITAL INVESTMENTS, LLC; ACCORD
ENERGY, LLC; BJ ENERGY, LLC;
FRANKLIN POWER, LLC; GLE TRADING,
LLC; OCEAN POWER, LLC; PILLAR FUND,
LLC; and POWER EDGE LLC,


Defendants.

Case No.1:08-CV-216 (JJF)

**PROOF OF SERVICE OF COMPLAINT UPON DEFENDANT
MARK GORTON PURSUANT TO 10 DEL. C. § 3104**

Plaintiff PJM Interconnection, LLC ("Plaintiff") hereby provides proof of service of the process and complaint upon Defendant Mark Gorton ("Defendant") pursuant to 10 *Del. C.* § 3104 by filing the receipt for registered mail and return receipt. Attached as Exhibit A is the Affidavit of Kevin F. Brady, Esquire, stating that the non-resident Defendant was served with the notice required by and pursuant to 10 *Del. C.* § 3104, and that the return receipt was received. The receipt for registered mail and the return receipt are attached as Exhibit 1 to the Affidavit.

CONNOLLY BOVE LODGE & HUTZ LLP



Kevin F. Brady (Bar No. 2248)

1007 N. Orange Street

P.O. Box 2207

Wilmington, DE 19899

Telephone: 302-658-9141

Facsimile: 302-658-5614

kbrady@cblh.com

DATED: June 3, 2008

CERTIFICATE OF SERVICE

I, Kevin F. Brady, hereby certify that on June 3, 2008, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Steven J. Fineman, Esquire
Richards, Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899
(302) 658-6541
Email: fineman@rlf.com

/s/ Kevin F. Brady
Kevin F. Brady (Bar No. 2248)
Connolly Bove Lodge & Hutz LLP
The Nemours Building
1007 N. Orange Street
Wilmington, DE 19899
Phone (302) 658-9141
kbrady@cblh.com

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PJM INTERCONNECTION, LLC,)
directly and derivatively on behalf)
of Power Edge, LLC,)

Plaintiff,)

v.)

Case No.1:08-CV-216 (JJF)

MARK GORTON; TOWER RESEARCH)
CAPITAL LLC; TOWER RESEARCH)
CAPITAL INVESTMENTS, LLC; ACCORD)
ENERGY, LLC; BJ ENERGY, LLC;)
FRANKLIN POWER, LLC; GLE TRADING,)
LLC; OCEAN POWER, LLC; PILLAR FUND,)
LLC; and POWER EDGE LLC,)

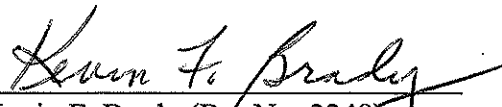
Defendants.)

AFFIDAVIT OF KEVIN F. BRADY, ESQUIRE

I, Kevin F. Brady, being duly sworn according to law does depose and say:

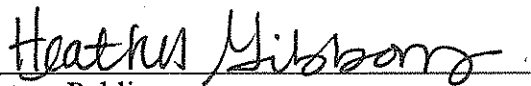
1. I am an attorney for Plaintiff, PJM Interconnection, LLC.
2. To the best of my knowledge, Mark Gorton ("Defendant") has an address of 377 Broadway, 11th Floor, New York, New York 10013.
3. On May 22, 2008, Shelly Miles, of Parcels, Inc. served the alias summons and complaint upon Defendant by serving the Delaware Secretary of State.
4. On May 23, 2008, I mailed, by registered mail, return receipt requested, the alias summons and complaint with the notice required by 10 *Del. C.* § 3104 to Defendant at 377 Broadway, 11th Floor, New York, New York 10013.
5. On June 2, 2008, I received the return receipt from the United States Post Office.

6. I have attached hereto as Exhibit 1 the return receipt (i.e., the green card) indicating Defendant's receipt of the alias summons and complaint.


Kevin F. Brady (Bar No. 2248)

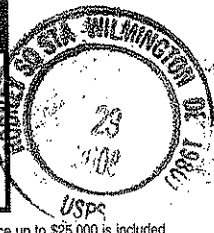
Dated: June 3, 2008

SWORN TO AND SUBSCRIBED before me, a Notary Public, this 3rd day of June,
2008.


Notary Public

HEATHER GIBBONS
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Aug. 20, 2009

EXHIBIT 1

Registered No. RB972 233 503 US		Date Stamp 
To Be Completed By Post Office	Reg. Fee 10.00	
	Handling Charge	Return Receipt 2.20
	Postage 4.80	Restricted Delivery
	Received by MSS	
Customer Must Declare Full Value \$		Domestic Insurance up to \$25,000 is included based upon the declared value. International Indemnity is limited. (See Reverse).
OFFICIAL USE		
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	Collins J. Seitz Jr. Connally Bae Lodge & Huber LLP 1007 N. Orange St. 9th Fl Wilm. DE 19801
	TO	Mark Gorton 377 Broadway, 11th Fl NY, NY 10013
PS Form 3806, Receipt for Registered Mail Copy 1 - Customer May 2007 (7530-02-000-9051) (See Information on Reverse) For domestic delivery information, visit our website at www.usps.com ®		

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mark Gorton
377 Broadway, 11th Fl
NY, NY 10013

2. Article Number (Copy from service label)

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

M. WYATT **6/27**

C. Signature

X M. WYATT ☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail
☒ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

RB 972 233 503 US

Domestic Return Receipt

102595-00-M-0952